

Message Text

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ORIGIN PA-02

INFO OCT-01 ISO-00 ARA-06 L-03 SCS-03 SS-15 SP-02 SY-05
H-01 INR-07 DRC-01 SSO-00 INRE-00 SCA-01 VO-03 /050 R

DRAFTED BY PA/FOI:WLOWELL
APPROVED BY PA/FOI:BENNIS
ARA/CAR:GDESANTILLANA (PHONE)
L/M:TRAMSEY (PHONE)
SCA/SCS:HLAW (PHONE)

-----112319Z 010083 /64

O 112156Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY SANTO DOMINGO IMMEDIATE

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E.O. 11652: N/A

TAGS: AINE, DR

SUBJECT: FOI LITIGATION OF JOHN J. AYOUB, JR.

REF: STATE 297551 SANTO DOMINGO 5978

1. EMBASSY IS AWARE OF LITIGATION BROUGHT AGAINST DEPARTMENT UNDER 5 USC 552, THE FREEDOM OF INFORMATION ACT, BY RICHARD L. BAST FOR THE RELEASE OF ALL RECORDS OF THE DEPARTMENT AND THE EMBASSY PERTAINING TO THE INTERESTS OF THE AYOUB FAMILY.

2. LITIGATION HAS NOW BEEN BROUGHT AGAINST THE DEPARTMENT UNDER 5 USC 552 BY MR. AYOUB.

3. IN IDENTICAL, BUT SEPARATE, LETTERS TO THE DEPARTMENT DURING OCTOBER, 1976, AYOUB AND BAST REQUESTED ACCESS UNDER LIMITED OFFICIAL USE

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THE TERMS OF THE FOIA TO ANY RECORDS PERTAINING TO 17 ENUMERATED ITEMS. TEXT OF LETTERS FOLLOWS:

A) PREVIOUS INVESTIGATIONS MADE INTO ALLEGATIONS THAT PERSONNEL OF THE US EMBASSY IN SANTO DOMINGO, DOMINICAN RPB. WERE SELLING VISAS TO DOMINICANS FOR CASH FEES IN EXCESS OF THOSE FEES NORMALLY ASSESSED DOMINICANS FOR A VISA BY THE

US DEPARTMENT OF STATE;

B) THE TERMINATION OF INVESTIGATIONS, SUPRA, AND/OR THE CRIMINAL PROSECUTION OF ANY AGENCY EMPLOYEE FOUND TO BE SURREPTITIOUSLY SELLING VISAS;

C) IF ANY AGENCY EMPLOYEE WAS FOUND TO BE ILLEGALLY SELLING VISAS, ETC., WHY NO CRIMINAL PROSECUTION WAS INITIATED.

D) AN, AT LEAST, THREE PAGE STATEMENT GIVEN TO THE US EMBASSY IN SANTO DOMINGO BY MRS. CHARLENE BEVERLY KESSLER AYOUB AND/OR OTHER VERBAL OR WRITTEN STATEMENT(S).

E) MESSAGES SENT, VIA US GOVERNMENT COMMUNICATIONS FACILITIES, BY MAJOR RAPHAEL A. RICCIO IN THE UNITED STATES TO THE MILITARY ATTACHE OF THE US EMBASSY IN SANTO DOMINGO, (MESSAGES MEANING TELEPHONIC, CABLE, WRITTEN/TYPED OR MESSAGES IN ANY FORM TRANSMITTED BY COURIER WHETHER IN CRYPTOGRAPHIC OR PLAIN LANGUAGE) REGARDING MRS. CHARLENE BEVERLY KESSLER AYOUB, MR. JOHN JACOB AYOUB, JR., MR. RICHARD L. BAST, MR. LEWIS KESSLER AND/OR OTHERS REMOTELY ASSOCIATED WITH WHAT IS COMMONLY REFERRED TO IN SANTO DOMINGO AS THE QUOTE AYOUB CASE UNQUOTE.

F) A STORY THAT APPEARED IN THE EL CARIBE ON SEPTEMBER 7, 1976 ENTITLED QUOTE VENTILAN EN RD PROCESO COMENZARA EN MARYLAND UNQUOTE.

G) A STORY THAT APPEARED IN THE LISTIN DIARIO ON LIMITED OFFICIAL USE

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SEPTEMBER 7, 1976 ENTITLED QUOTE JUEZ DETERMINARA CASO SUI GENERIS UNQUOTE.

H) A STORY THAT APPEARED IN THE LISTIN DIARIO ON SEPTEMBER 8, 1976 ENTITLED QUOTE AFIRMA TRIBUNALES ESTAN APODERADOS CASO RAPTO HIJOS UNQUOTE.

I) A LETTER SIGNED BY CHARLENE B. KESSLER THAT APPEARED IN LA NOTICIA ON SEPTEMBER 8, 1976.

J) A STORY THAT APPEARED IN THE LISTIN DIARIO ON SEPTEMBER 10, 1976 ENTITLED QUOTE JUEZ RESERVA FALLO CUSTODIA DE HIJOS UNQUOTE.

K) A LETTER SIGNED BY JOHN JACOB AYOUB THAT APPEARED IN THE LISTIN DIARIO ON SEPTEMBER 10, 1976.

L) A LETTER SIGNED BY CHARLENE BEVERLY KESSLER THAT APPEARED IN EL NACIONAL DE AHORA ON SEPTEMBER 22, 1976.

M) A STORY THAT APPEARED IN LA NOTICIA ON SEPTEMBER 25,

1976 ENTITLED QUOTE AFIRMAN DEPOSITO SENTENCIA BURLA
ORTE ESTADOS UNIDOS. UNQUOTE

N) A LETTER SIGNED BY DR. MAXIMO HENRIQUEZ SALADIN (DOMINI-
CAN LAWYER FOR MR. JOHY J. AYOUB, JR.) THAT APPEARED IN EL
NACIONAL DE AHORA ON SEPTEMBER 28, 1976.

O) A STORY THAT APPEARED IN THE SEPTEMBER 28, 1976 ISSUE
OF LA NOTICIA (PAGE 11) UNDER THE HEADING QUOTE BUFETE
ABIERTO UNQUOTE CONCERNING THE QUOTE AYOUB CASE UNQUOTE.

P) AS MILITARY PERSONNEL ATTACHED TO THE US EMBASSY IN
SANTO DOMINGO ARE DEEMED TO PERFORM THEIR DUTIES UNDER THE
DIRECTION OF THE US AMBASSADOR, FOR PURPOSES OF THIS FOIA
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REQUEST I CONSIDER THEM TO BE EMPLOYEES OF YOUR AGENCY,
AND ALL ASPECTS OF THIS REQUEST ARE TO BE FULLY APPLICABLE
TO MILITARY PERSONNEL. IF THE VIEW OF YOUR AGENCY IS CON-
TRARY THEN IT IS YOUR RESPONSIBILITY TO PROMPTLY FORWARD
THIS FOIA REQUEST TO OTHER AGENCIES OF THE US GOVERNMENT
FOR ADDITIONAL PROCESSING.

Q) RICHARD L. BAST, JOHN J. AYOUB, JR., MRS. CHARLENE
BEVERLY KESSLER AYOUB, AND LEWIS KESSLER AND/OR THE THREE
AYOUB CHILDREN, AND/OR THE UNITED STATES AND/OR DOMINICAN
LAWYER(S) AND/OR OTHER AGENTS/CONSULTANTS/EMPLOYEES/
SERVANTS OF MR. JOHN J. AYOUB, JR. AND/OR MR. CHARLENE
B.K. AYOUB.

4. DEPARTMENT IS MINDFUL OF EMBASSY DOCUMENTS FORWARDED
IN CONNECTION WITH BAST LITIGATION, BUT AS A MATTER
OF PROCEDURE, MUST REQUEST EMBASSY TO AGAIN SEARCH ITS
FILES FOR RECORDS PERTAINING TO THE 17 ITEMS DESCRIBED
ABOVE. IN THE EVENT THAT ANY ADDITIONAL RECORDS ARE
LOCATED, PLEASE POUCH ARA/CAR, ATTN: GDESANTILLANA.

5. AS IN PREVIOUS BAST FOI SEARCH, EMBASSY IS NOT
REQUIRED TO RESPOND TO QUESTIONS OR ALLEGATIONS POSED BY
AYOUB AND BAST, OR TO CREATE NEW RECORDS TO COMPLY WITH
REQUEST, BUT SIMPLY TO SEARCH FOR EXISTING RECORDS WHICH
MEET THE DESCRIPTIONS SET FORTH BY BAST AND AYOUB; PARA
3 ABOVE.

6. FYI: DEPARTMENT'S REVIEW OF FOUR DOCUMENTS POUCHED
BY EMBASSY IN CONNECTION WITH BAST LITIGATION STILL PRO-
CEEDING. DEPARTMENT HAS FILED A PRELIMINARY AFFIDAVIT IN

FEDERAL DISTRICT COURT REQUESTING AN EXTENSION OF 30 DAYS
TO COMPLETE REVIEW AND RESPOND FULLY TO POINTS RAISED BY
BAST COMPLAINT. WE WILL KEEP YOU INFORMED OF PROGRESS

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OF CASE.

7. EMBASSY'S EARLIEST ATTENTION WOULD BE APPRECIATED
SINCE DEPARTMENT IS AGAIN WORKING UNDER COURT-IMPOSED
DEADLINE.

ROBINSON

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NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION
Control Number: n/a
Copy: SINGLE
Sent Date: 11-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE006036
Document Source: CORE
Document Unique ID: 00
Drafter: WLOWELL
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770010-1269
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770161/aaaacbwx.tel
Line Count: 187
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Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 790a2fdb-c288-dd11-92da-001cc4696bcc
Office: ORIGIN PA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 297551
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3622667
Secure: OPEN
Status: NATIVE
Subject: FOI LITIGATION OF JOHN J. AYOUB, JR.
TAGS: AINF, DR, US, (AYOUB, JOHN J JR)
To: SANTO DOMINGO
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/790a2fdb-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
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